

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Michael Lofstrom, Chris Barber,
Edward J. McNerney, and Erica Siu,
individually and behalf of all others
similarly situated,

Plaintiff(s),

v.

MiaSole, A California corporation,
Defendant(s).

CASE NO. C12-5184 LHK

STIPULATION AND ~~PROPOSED~~
ORDER SELECTING ADR PROCESS

Counsel report that they have met and conferred regarding ADR and have reached the following stipulation pursuant to Civil L.R. 16-8 and ADR L.R. 3-5:

The parties agree to participate in the following ADR process:

Court Processes:

- ☐ Non-binding Arbitration (ADR L.R. 4)
☐ Early Neutral Evaluation (ENE) (ADR L.R. 5)
☐ Mediation (ADR L.R. 6)

(Note: Parties who believe that an early settlement conference with a Magistrate Judge is appreciably more likely to meet their needs than any other form of ADR must participate in an ADR phone conference and may not file this form. They must instead file a Notice of Need for ADR Phone Conference. See Civil Local Rule 16-8 and ADR L.R. 3-5)

Private Process:

- ☒ Private ADR (please identify process and provider) The mediator has not yet

been determined, but the parties are in the process of selecting one.

The parties agree to hold the ADR session by:

- ☐ the presumptive deadline *(The deadline is 90 days from the date of the order referring the case to an ADR process unless otherwise ordered.)*
☒ other requested deadline The parties will attempt to complete the ADR process by the presumptive deadline, but request that the Court delay setting a deadline until the parties agree upon a mediator and determine a mediation date that is workable for the parties and the mediator.

Dated: 12/26/12

/s/ Chad Saunders
Attorney for Plaintiff
Michael Lofstrom, et al.

Dated: 12/26/12

/s/ Ruth Zadikany
Attorney for Defendant
MiaSole

Pursuant to General Order No. 45, I Ruth Zadikany, attest that I obtained concurrence in the filing of this document from the signatories.

CONTINUE TO FOLLOWING PAGE

~~PROPOSED~~ ORDER

- ☐ The parties' stipulation is adopted and IT IS SO ORDERED.
☒ The parties' stipulation is modified as follows, and IT IS SO ORDERED.

The parties' stipulation is adopted except to the extent that the parties request that the Court decline to set a deadline to complete the ADR process. The parties' deadline to complete the ADR process is Monday, April 1, 2013.

Dated: December 28, 2012



UNITED STATES DISTRICT JUDGE
The Honorable Lucy H. Koh

When filing this document in ECF, please be sure to use the appropriate Docket Event, e.g., "Stipulation and Proposed Order Selecting Mediation."